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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/976,322	11/21/1997	KIMMO DJUPSIJOBACKA	915-312	1733

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EXAMINER
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BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2623

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12/17/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

08/976,322

Applicant(s)

DJUPSJOBACKA ET AL.

Examiner

Reuben M. Brown

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2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-8, 10, 12, 14 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8, 10, 12, 14 & 28-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Amendment***

1. The Affidavit filed on 9/14/2007 under 37 CFR 1.131 is sufficient to overcome the Field reference, (U.S. Pat # 6,018,764). A new rejection on the merits is presented herein.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-6, 10, 12, 14, 28-32 & 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, (U.S. Pat # 6,147,714), in view of Wasilewski, (U.S. Pat # 5,600,378) and Hidary, (U.S. Pat # 5,774,664).

Considering claims 2, the amended claimed method for 'addressing at least one service in a data communication system including at least one data transmission network for transmitting information in at least one data transmission stream', such that at least one service provider transmits services to at least one data transmission network', wherein the services are assigned service ID data is met by Terasawa, (col. 8, lines 40-50), which discusses a service ID that is provided as a label for a particular service within a transport stream (Fig. 13).

The amended claimed 'original transmission network', reads on the disclosed original network ID (original\_network\_id(2)), see col. 8, lines 32-33. Also Terasawa more generally discloses a parameter, the Service Provider Item, discussed in Terasawa, (Fig. 13). The Service Provider Item identifies the provider, i.e. the original network that provides the particular service, col. 7, lines 58-62.

The claimed 'service ID' identifying a broadcast transmission stream from the broadcast service provider reads on Terasawa, (col. 8, lines 28-34), which discusses the broadcast transport stream ID. Terasawa (col. 8, lines 40-50) meets the claimed broadcast service ID identifying the service within the stream. Terasawa teaches that the SDT includes the data representing the services, such as service name, service provider, etc, (Fig. 13) which is associated with the identification information (Fig. 14).

'wherein on the basis of the identification data, the transmission stream and a location therein is retrievable for use' is inherent in Terasawa.

As for the amended claimed feature of, 'a service assigned a non-numerical textual service identifier', Terasawa teaches that identification data uniquely identifies the broadcast services within the network, using the DVB definitions, and that for instance the DVB definitions may be used to identify EPG data (services); see col. 7, lines 55-67 thru col. 8, lines 1-3. The title of a program reads on the claimed non-numerical textual service identifier (service name).

The station name in Terasawa also reads on the claimed non-numerical textual service identifier (service provider name). For instance, Figs. 4 & 8 shows a plurality of different channels (service providers) that transmit a plurality of programs (services). Furthermore, Fig. 14 discusses that this data is transmitted as part of the SDT table, which is a construct that supports the claimed 'relation' between the identification data of a service and the instant non-numerical textual service identifier; also see col. 8, lines 26-67.

Regarding the further claimed feature of the 'changing the identification data and the relation, while maintaining the non-numerical textual service identifier and substantially maintaining the service', Terasawa does not discuss such a technique. Nevertheless Wasilewski, which is in the same field of endeavor of transmitting DVB defined video using DVB technology, (col. 2, lines 1-28) discloses maintaining services, even though the programs may be moved around to different transport streams, frequencies, etc. (col. 3, lines 22-67; col. 5, lines 25-55; col. 9, lines 1-60. It would have been obvious for one of ordinary skill in the art at the

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time the invention was made, to modify Terasawa to change the identification data of a service, while still maintaining the non-numerical textual service identifier and substantially maintaining the service, for the improvement of a more flexible system, as taught by Wasilewski, col. 3, lines 5-19.

As for the further amended claimed feature, 'wherein the non-numerical textual service identifier is used as part of a uniform resource locator address', (URL), even though Terasawa teaches the claimed non-numerical textual service identifier, the reference does not explicitly disclose that it may be used as part of a URL. However, Hidary (col. 8, lines 54-67 thru col. 9, lines 1-2) teaches that a broadcast TV signal may be located over the Internet, and selected as part of a URL address. In particular, Hidary teaches that a consumer may select a hyperlink, i.e., URL, from a web site for a major TV network, causing the consumer's TV tuner to tune the instant TV network, i.e. TV channel in order to receive a particular TV program. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa with the technique of the using the non-numerical textual service identifier as part of a URL, for the desirable advantage of bridging the gap between video programming and the information superhighway of the Internet, see Hidary, col. 1, lines 15-67 thru col. 2, lines 1-67.

Considering claims 3 & 29, Terasawa (col. 4, lines 62-67 thru col. 5, lines 1-5 & col. 7, lines 55-60) discloses the use of digital video broadcasting (DVB) definitions for the data transmission protocol.

Considering claims 4 & 30, Terasawa teaches that the identification data is transmitted in the service description tables, (SDT) and that there is relation between the name information and the identification information, col. 7, lines 55-67 thru col. 8, lines 1-40.

Considering claims 5 & 31, the claimed use of the event information table, (EIT) is met by the discussion of Terasawa, (Fig. 13; col. 7, lines 55-67 thru col. 8, lines 1-25).

Considering claims 6 & 32 the subject matter reads on the transport stream\_id disclosed in Terasawa, (Fig. 13 & col. 8, lines 25-30) & Wasilewski (col. 5, lines 56-65; col. 6, lines 24-30).

Considering claims 28 & 35, the claimed broadcasting device for transmitting at least one service, corresponds with subject matter mentioned above in the rejection of claim 2, and is likewise treated.

Considering claim 10, the claimed data communications system comprising at least one transmission network for transmitting information on services, comprising elements that corresponds with subject matter mentioned above in the rejection of claim 2, are likewise rejected. The claimed, 'equipment for transmitting' reads on the transmission apparatus shown in Fig. 1 of Terasawa, col. 3, lines 21-65. The claimed feature of the broadcast service containing a

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packet of service components reads on each packet representing a transmitted service as shown in Fig. 13 of Terasawa. As for the additionally claimed feature of the name information (i.e., service name) referring to a different identification data for obtaining the packet of service components, the claimed feature is broad enough to read on the system in Terasawa having multiple services transmitted, requiring multiple name information, so that each distinct name information refers to a different packet of service component, see col. 8, lines 25-60.

As for the further claimed feature of a non-numerical descriptive worldwide globally individual name information, as discussed above in the rejection of claim 9, Hidary teaches the claimed subject matter. Hidary discloses a hyperlink on a web page, the selection of which causes a TV tuner on a consumer's equipment to tune to a particular TV broadcast signal, col. 8, lines 58-67 thru col. 9m lines 1-2.

Considering claims 12 and 14, the claimed broadcasting device and receiver comprises elements that correspond with subject matter mentioned above in the rejection of claim 10, and are likewise treated. Regarding the receiver, Terasawa discloses an IRD 2, see Fig. 20; col. 10, lines 59-67 thru col. 11, lines 1-22 & col. 12, lines 64-67 thru col. 13, lines 1- 8.

4. Claims 7-8 & 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terasawa, in view of Wasilewski & Hidary and further in view of Adams, (An Introduction to



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Digital Storage Media-Command and Control, DSM-CC; IEEE Communications Magazine; November 1996)

Considering claims 7-8 & 33-34, Terasawa & Wasilewski do not discuss using the DSM-CC object carousel or data carousel. Nevertheless, Adams discloses that the DSM-CC data carousel may be used for the periodic transfer of data messages to a client, page 10, section 8.1. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Terasawa to utilize the data carousel technique at least for the known benefit of avoiding the necessity of two-way communication for the client to retrieve messages, as taught by Adams. Adams also discloses that the object carousel is beneficial for transmission of images.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Matthews Teaches providing access to supplemental video content from the Internet, via a hyperlink on an EPG, Fig. 2.

B) Astiz Teaches mapping various multimedia content including video data, to a URL, see Abstract & col. 9.

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**Any response to this action should be mailed to:**

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**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**

(571) 273-7290 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

  
REUBEN M. BROWN  
PATENT EXAMINER